

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

Eugene Falls

Docket No. 06-294-DRH
(To be supplied by the Clerk)

Plaintiff/Petitioner(s),

☐ CIVIL RIGHTS COMPLAINT
pursuant to 42 U.S.C. §1983
(State Prisoner)

-vs-

☒ CIVIL RIGHTS COMPLAINT
pursuant to 28 U.S.C. §1331
(Federal Prisoner)

Alton City Jail,

Richard Gillespie,

Bob Meyer, and U.S. Marshals

☐ CIVIL COMPLAINT
pursuant to the Federal Tort Claims
Act, 28 U.S.C. §1346, 2671-2680

Defendant/Respondent(s).

FILED
APR 11 2006
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

I. JURISDICTION

A. Plaintiff's mailing address and/or register number and present place of confinement.

Eugene Falls Alton City Jail 1700 E. Broadway
Alton IL 62002

B. Defendant Richard Gillespie is employed as
(Name of First Defendant)

Sergeant and Superintendent
(Position/Title)

with Alton City Jail 1700 E. Broadway
(Employer's Name and Address)

Alton IL 62002

At the time the claim(s) alleged in this complaint arose, was the defendant employed by the state, local or federal government?

Yes (X)

No ()

If your answer is "yes", briefly explain:

Defendant was employed by Alton City Department
as sergeant and work as superintendent of the jail

C. Defendant Bob Meyer is employed as
(Name of Second Defendant)
U.S. Marshal
(Position/Title)

with Southern District of Illinois U.S. Marshal
(Employer's Name and Address)

Agency, 750 MISSOURI AVE, East St. Louis IL 62202

At the time the claim(s) alleged in this complaint arose, was the defendant employed by the state, local or federal government?

Yes (X) No ()

If your answer is "yes", briefly explain:

Defendant is the head Marshal for the
southern District of Illinois

D. Using the outline of the form provided, include the above information for any additional defendant(s).

Alton City Jail, City Jail Facility with
the Alton Police Department, 1700 E. Broadway
Alton IL 62002

The U.S. Marshal Agency for Southern
District of Illinois, 750 Missouri Ave, East St. Louis
IL 62202

II. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in state or federal court relating to your imprisonment?

Yes () No (X)

B. If your answer to "A" is "yes", describe the lawsuit(s) in the space below. (If there is more than one (1) lawsuit, you must describe the additional lawsuits on another sheet of paper, using the same outline.) **Failure to comply with this provision may result in summary denial of your complaint.**

1. Parties to previous lawsuits:
Plaintiff(s) _____

Defendant(s) _____

2. Court (if Federal Court, name the District; if State Court, name the County) _____
3. Docket number _____
4. Name of Judge to whom case was assigned _____
5. Type of case (for example: Was it a Habeas Corpus or Civil Rights action?) _____
6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
7. Approximate date of filing lawsuit _____
8. Approximate date of disposition _____

III. GRIEVANCE PROCEDURE

- A. Is there a prisoner grievance procedure in the institution? NO
- B. Did you present the facts relating to your complaint in the prisoner grievance procedure?
Yes () No (x)
- C. If your answer is "yes",
 1. What steps did you take? _____

 2. What was the result? _____

- D. If your answer is "no", explain why not. There is no grievance
procedures here at Alton City Jail

E. If there is no prisoner grievance procedure in the institution, did you complaint to prison authorities? Yes (x) No ()

F. If your answer is "yes",

1. What steps did you take? I wrote I.D.O.C, U.S. Marshall's and the jail superintendent, A.C.H.O.

2. What was the result? No reply from U.S. Marshall's. Then I wrote to send write grievance. Jail superintendent said this is his jail its for his way.

G. If your answer is "no", explain why not. _____

H. Attach copies of your request for an administrative remedy and the response(s) you received. If you cannot do so, explain why not:

We are not allowed to get copies made. The letters from D.O.C has been sent to A.C.H.O.

IV. STATEMENT OF CLAIM

State here, as briefly as possible, the FACTS of your case. State who, what, when, where and how you feel your constitutional rights were violated. Do not cite cases or statutes. If you choose to submit legal arguments or citations, you must do so in a separate memorandum of law. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. If your claims relate to prison disciplinary proceedings, attach copies of the disciplinary charges and any disciplinary hearing summary as exhibits.

Only two (2) extra pages (8 1/2 x 11") are permitted, if necessary, to complete your statement of claim. Additionally, attach any relevant, supporting documentation.

Around January 2005 U.S Marshall's hired Alton City jail to house and detain federal inmates. The jail is an city lockup designed to hold city inmates for an maximum 72 hours. It is not an detention facility of suitable for detention. The jail does not meet federal or state regulations to detain federal detainees. The superintendent Sgt Richard Gillette does not follow federal or state regulations for federal detainees. The combined facts result: into federal inmates being denied our constitutional rights or to remain free from cruel and unusual punishment. And due process.

1. No grievance procedure - The jail does not give or allow inmates a way to make complaints about our detention conditions.

*James E. Hill
1/12/05*

2. No law library - This puts a limits on access to research and defend our pending charges. And civil complaints and it limits our access to the courts.

3. Our visitation is limited to parents and spouse. We are not allowed visits from our children or friends. We all are not lucky to still have living parents now. We are all detainees with pending charges and visits from if any may be our only way to help out with legal research and funds to retain counsel. Investigators ect.

4. Improper Medical attention - There is no medical assistant here at the jail. All medication is issued out by medically untrained correctional officers. Medical treatment must be approved first by jail superintendent Sgt Richard Gillespie and if it seems you're worthy of medical care you will be charged \$20 to talk to the doctor about your problem. There has been incidents when medication was given in wrong manner because officers are not trained to issue medication.

5. No recreation or physical exercise - We have been locked down in our cell for more than an year 24 hours a day in 2 man cells. No movement other than in shower every 2 days.

6. We are subject to endure toxic fumes - Fumes coming through our vents while we are locked in our cells which are under constant light. Lights are on all day and night at times constant noise 24 hours a day due to the city inmates being housed through out the night yelling, screaming, and kicking the doors.

7. Inadequate bedding - We are forced to sleep on bare unsanitized mattresses. We are not allowed sheet's.

8. Denial of religious services - Superintendent Richard Gillespie refuse to allow Islamic prayers in the jail for services. He stated he doesn't agree with Islamic beliefs so he will not acknowledge muslims here in his jail.

9. No disciplinary committee - No procedure afforded to inmates accused or disobeying Sgt Richard Gillespie verbal rules. He has locked inmates in cells with restraints on all night for discipline. In June 2005 inmate Carl Brooks was discipline without a hearing on the matter. May 2003, I Emprae, Lilla was disciplined without a hearing on the matter.

10. Accessible punishment - I was stripped of my mattress and blanket in May 2005 and forced to sleep on bare steel metal for punishment. Inmate Carl Brooks was forced to sleep in restraints and shackles for punishment by Sgt Richard Gillespie.

11. Improper handling of mail - Superintendent Richard Gillespie must read all mail incoming and outgoing before inmates in the jail. If he doesn't like the contents of the mail he puts it in an locker without informing inmates. He holds mail for weeks before mailing or issuing it to inmates. He must read mail word for word and do so at his convenience.

12. These conditions we live in here in Alton city jail in Illinois violates our constitutional rights.

13. Discrimination - The law and rights are for all inmates no where in the U.S. A detainees go through this treatment and it's mostly Blacks here to endure this punishment here at Alton City jail in Illinois.

All inmates are detained at Alton City jail for safety of the public not for the purpose of punishment. We are all innocent until proven guilty. And have the right to be treated fair and no worse than other federal detainees. Superintendent Richard Gillespie has no right or authority to punish us let alone cruel and unreasonably. Bob Morel and the US Marshalls have no right and authority to have us housed in these unlawful situations like this that will harm us mentally.

V. REQUEST FOR RELIEF

State exactly what you want the Court to do for you. If you are a state or federal prisoner, and seek relief which affects the fact or duration of your imprisonment (for example: illegal detention, restoration of good time, expungement of records or parole release), you must file your claim on a Habeas Corpus form, pursuant to 28 U.S.C. §2254, 28 U.S.C. §2255, or 28 U.S.C. §2241.

I want to be relieved from this cruel and unusual detention. And I want to be paid for the suffering damages brought on by the defendants.

VI. JURY DEMAND (check one box below)

The plaintiff does ☒ does not ☐ request a trial by jury. (See Fed.R.Civ.P. 38.)

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I, the undersigned, certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11(a) and (b) may result in sanctions, monetary or non-monetary, pursuant to Federal Rule of Civil Procedure 11(c).

The plaintiff hereby requests the Court issue all appropriate service and/or notices to the defendant(s).

Signed this 1 day of December, 2006.

Eugene F. Mc

Signature of Plaintiff

Signature of attorney, if any

Eugene Fells have written all these thing as of 1-10-06
here in Allen City jail. I swear all these things are true to my
knowledge.

Jan 11 1-10-06

2:30 A.M. Two inmates fought each other from stress also being in a cell
24 hours a day. It took staff 15 mins to get to the cell 5
were they were Glassmeyer, Warlock, Sgt Gions came to speak to
the two inmates and stop the fight

1-10-06 The D.O.C, U.S. Marshalls came here to Allen City jail and let them
4:30 pm know the staff have to change things here in the jail. This is my
second memo pad my first was taken by Sgt Richard Gillespie. E.F

1-11-06

7:16 pm The staff have put mirrors in the showers so we can shave
in them. D.O.C have been here 4 or 3 times in 2005 still
no change. E. Fells

1-12-06

11:30 pm Sgt. Richard Gillespie came to do showers and was offering us a TV
and how to walk the hall. We been in a cell for almost an year.
E. Fells

1-12-06

3:30 pm My Attorney came to tell me the same thing since I been
here. E. Fells

1-26-06

11:20 AM Sgt Richard Gillespie said we will be allowed an hour at a time out the cells. Since Feb 2005 we have been in this City jail in Alton Illinois also we will have an T.V. E. Falls

3-1-06

11:30 pm The inmates here at Alton City jail mail was held because Sgt Richard Gillespie didn't work today. E. Falls

3-10-06

9:00 AM Sgt. Richard Gillespie has put on table in the hall for the detainees hour of relay recreation. We have been in this jail in Alton Illinois for an year without recreation or T.V. E. Falls

3-13-06

3:00 pm The inmates have waited an year for grievance forms today they have installed the forms. In Alton City jail we have no rights. E. Falls

3-14-06

4:30 pm I sent an complaint form to C.O David Beck to get it signed. He turned it in to Sgt Richard Gillespie instead. E. Falls

3-14-06

10:00 pm I sent another complaint form to C.O Mike Morelle about law books that coincide with my case. E. Falls

3-15-06

8:45 AM Today Sgt Gibbs took over as the jail superintendent

3-15-06

9:45 AM An detainee tried to kill himself with an razor it sounds bad because all this week he asked for help. E. Falls

2-10-06 I sent a letter to the coast for an response on 2-21-06
2:30pm it was received 2-23-06 the response was sent 3-14-06.
I got it 3-17-06 was out of my presents with the edges
of the papers torn. E. Filla

3-17-06 I sent an complaint to ^{CO}Terry Perry about the misconduct
illpr of the staff and medical care.

7-10-06
E.F.

Dear, Mr. Choivato

I Eugene Fells have written this letter on behalf of the detainees that's being held at Attor City Jail. The complaint is the conditions that we are forced to live in we need help with this. For example we are in cells 24 hours a day we eat next to the stoop, no law books this treatment consist of cruel punishment. The treatment here needs to be looked into.

Thank you Eugene Fells

4-08-06
E.J.

Dear, Sgt. Gillespe

I Eugene Teller and the detainees that's being held here at Alton City jail in Illinois are concern about our health this city jail is not permitted to hold inmates with the cases we are involved in there's no law books to assist us in our cases. The food is unhealthy, we stay in our cells 24 hours I sent Dora a copy of this letter so please respond.

Thank you

Eugene Teller

Memo...

POLICE DEPARTMENT

1700 East Broadway/Phone: 618-463-3505
ALTON, ILLINOIS 62002



Sergeant Richard Gillespie
Community Services Division
Jail Superintendent

A handwritten signature in black ink, appearing to be "R. Gillespie", written over the printed name and title.

TO: Federal Detainee EUGENE FALLS

DATE: 10/04/2005

CC: Captain Scott Waldrup

RE: Letter from REGINALD DOZIER

Mr. FALLS per our policy I have withheld three photographs from your letter sent by REGINALD DOZIER. These photographs are what is considered to be lewd and pornographic material and is banned from coming into the jail facility. Due to the nature of the photographs they were destroyed. Please advise Mr. DOZIER that our policy does not permit this type of material.

Thank you for your cooperation in this matter.

Jail tries to stay clean of contraband

By Leah Thorsen
ST. LOUIS POST-DISPATCH

EDWARDSVILLE • In his 27 years working at the Madison County Jail, Capt. Joe Gulash has seen plenty of imaginative attempts by prisoners to smuggle in contraband, and to create their own.

One inmate hid a handcuff key inside a false tooth.

Another fashioned a makeshift blade from a plastic comb, sharpening the tip and using a ripped T-shirt to make a handle, said Gulash, the jail administrator.

Lt. Robert Hollenbeck remembers when someone tried to sneak in marijuana by hiding it in a Playboy magazine centerfold.

"There's always something new," said Hollenbeck, who has worked in the jail for 24 years.

Keeping the jail free of contraband is critical to the safety of inmates and employees, said jail officials in Madison and St. Clair counties.

Neither keeps statistics about what items are seized or how many criminal cases result from these seizures, but there's no shortage of contraband stories.

Most inmates don't plan to end up behind bars, but some forward-thinking criminals have swallowed balloons and condoms filled with cocaine or marijuana before coming to jail, said Madison County Sheriff Robert Hertz.

Admission procedures are stringent, he said.

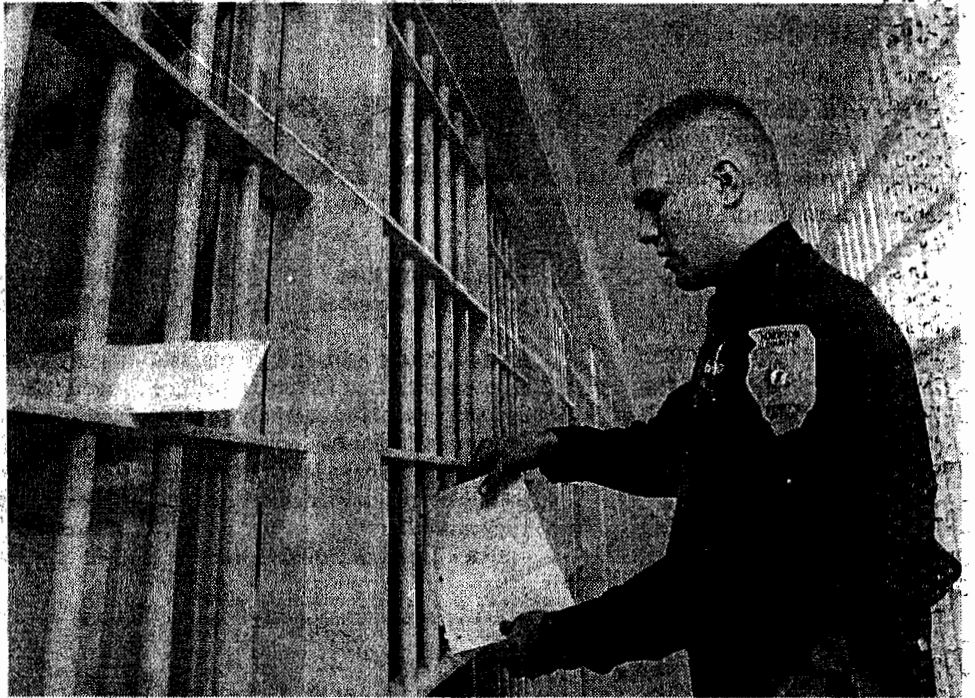
Inmates are strip-searched by an employee of the same sex.

Their personal items are logged and stored in one of 315 lockers, and they are given jail-issued clothing after a shower.

Once inside, it's a matter of finding ways to get in contraband from the outside.

Mail is logged before being checked, but not read, in front of inmates. Return addresses are required.

Visitors can bring underwear for inmates,



Madison County Sheriff's Deputy John T. Heck hands a letter to a prisoner Wednesday morning. Before being given to prisoners, letters are opened and searched for contraband. Envelopes are removed and destroyed. Wayne Crosslin | Post-Dispatch

but even that is searched carefully — some have cut out the stitching, inserted cocaine, then restitched it to hide the drugs, Hertz said.

During visiting hours at jails in both counties, inmates and visitors are separated by bulletproof glass and never touch.

But inmates still come up with their own contraband, said Lt. Col. T.J. Collins, the superintendent of the St. Clair County jail.

Inmates turn toothbrushes into shanks, make alcohol known as "hooch" from apples and stuff soap into socks to swing as a weapon, he said.

Keeping the jails safe means officials must enforce a strict set of rules that dictate

what inmates can and cannot have, officials in both jails said.

Staples are removed from paperwork and magazines.

Short pencils are allowed in Madison County, but ink pens are not.

"We can't deny them writing instruments," Hertz said.

Ink pens are allowed in St. Clair County, Collins said, but only blue pens — only jail staff use black pens, which makes it easy to catch inmates who try to forge documents.

Said Collins: "It's just amazing what they come up with."